7364162/2023/VIG-VI-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - RWS&S - Verification of work "CPWS Scheme to Chindadagaruvu of Amalapuram (M), Bodasakurru of Allavaram (M) and Kunavaram & Bheemanapalli of Uppalaguptam (M), East Godavari District - Disciplinary proceedings against Sri Syed Fakeer, the then Assistant Engineer, RWS&S Sub-Division, Amalapuram of East Godavari District and presently working as Assistant Engineer, on Deputation to APMSIDC, GMC Division, Nellore of Nellore District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991- Article of charges - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.VI) DEPARTMENT

G.O.Rt.No.264. **Dated 09.05.2023.**

Read with:-

From the Director General, G.A. (V&E) Department, Vigilance Report No.07 (C.No.316/V&E/Engg./2014), dt.19.05.2022.

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ORDER:-

It is proposed to hold an enquiry against Sri Syed Fakeer, the then Assistant Engineer, RWS&S Sub-Division, Amalapuram of East Godavari District and presently working as Assistant Engineer, on Deputation to APMSIDC, GMC Division, Nellore of Nellore District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed as Annexure-II and Annexure-III.

3. Sri Syed Fakeer, the then Assistant Engineer, RWS&S Sub-Division, Amalapuram of East Godavari District and presently working as Assistant Engineer, on Deputation to APMSIDC, GMC Division, Nellore of Nellore District is directed to submit written statement of his defence within (90) days of the receipt of this order.

4. Sri Syed Fakeer, the then Assistant Engineer, RWS&S Sub-Division, Amalapuram of East Godavari District and presently working as Assistant Engineer, on Deputation to APMSIDC, GMC Division, Nellore of Nellore District is informed that an inquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri Syed Fakeer, the then Assistant Engineer, RWS&S Sub-Division, Amalapuram of East Godavari District and presently working as Assistant Engineer, on Deputation to APMSIDC, GMC Division, Nellore of Nellore District, is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule 9 of AP Revised Pension Rules, 1980 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

(Contd...Page 2)

6. Sri Syed Fakeer, the then Assistant Engineer, RWS&S Sub-Division, Amalapuram of East Godavari District and presently working as Assistant Engineer, on Deputation to APMSIDC, GMC Division, Nellore of Nellore District, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri Syed.Fakeer, the then Assistant Engineer, RWS&S Sub-Division, Amalapuram is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. RAJSEKHAR,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Syed Fakeer, Assistant Engineer, on Deputation to APMSIDC,
GMC Division, Nellore through the Engineer-in-Chief,
RWS&S, Vijayawada.
The Engineer-in-Chief, RWS &S, Vijayawada (in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:
The G.A.(V&E) Department, Vijayawada.
The Accountant General (A&E), A.P., Vijayawada.
The Secretary to A.P. Vigilance Commission.
SF/SCs.

// FORWARDED :: BY ORDER //

B. Bharati
SECTION OFFICER

7364162/2023/VIG-VI-PRR01

ANNEXURE- I

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI SYED FAKEER, THE THEN ASSISTANT ENGINEER, RWS&S SUB-DIVISION, AMALAPURAM OF EAST GODAVARI DISTRICT (PRESENTLY WORKING AT PR DEPARTEMENT)

CHARGE :-

That Sri Syed Fakeer, the then Assistant Engineer, RWS&S Sub-Division, Amalapuram of East Godavari District and presently working as Assistant Engineer, on Deputation to APMSIDC, GMC Division, Nellore of Nellore District 1) has failed to get proper site investigation of soils and executed the retaining wall without assessing the Safe Bearing Capacity of the soils in the revised alignment of SS Tank, 2) Recorded and recommended for payment for the work of settled retaining wall portion at SS Tank. 3) During the execution of work, PVC Pipelines were laid without sand cushion or less thickness of the sand cushion below the PVC pipelines, which causes an amount of Rs.3,86,442/- is proposed to recovery from the contractor. And 4) He is failed for utilization of 1165 liters of Anticorrosive liquid procured by the department in time and kept the same in stores till date of expiry passed, which causes an amount of Rs.2,41,155/- is proposed to recover from the concerned responsible official. for the work "CPWS Scheme to Chindadagaruvu of Amalapuram (M), Bodasakurru of Allavaram (M) and Kunavaram & Bheemanapalli of Uppalaguptam (M), East Godavari District".

B. RAJSEKHAR,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

B. Bharati
SECTION OFFICER

ANNEXURE – II

STATEMENT OF THE IMPUTATION OF MISCONDUCT OR MIS-BEHAVIOUR IN SUPPORT OF EACH ARTICLE OF CHARGE FRAMED AGAINST SRI SYED FAKEER, THE THEN ASSISTANT ENGINEER, RWS&S SUB-DIVISION, AMALAPURAM OF EAST GODAVARI DISTRICT (PRESENTLY WORKING AT PR DEPARTEMENT).

BASIS :-

The Director General, (Vig & Enft), General Administration (Vigilance & Enforcement) Department, Vigilance Report No.07 (C.No.316/V&E/Engg/ 2014), dt.19.05.2022 has submitted a detailed report on the Confidential Probe on the Verification of work "CPWS Scheme to Chindadagaruvu of Amalapuram (M), Bodasakurru of Allavaram (M) and Kunavaram & Bheemanapalli of Uppalaguptam (M), East Godavari District". In his enquiry report the Director General (V&E) has reported to the Government that, 1) As per Clause 7.1 of IS 8009 (Part-I) 1976, it is required that a sufficient number of borings be taken up to indicate the limits of various underground strate and to furnish the location of the water table and water bearing strata. Generally, it will be sufficient, if two exploratory holes are located diagonally on opposite corners, unless the proposed structure is small, in which case one borehole at the centre may be sufficient. For large structures, additional boreholes may be driven suitably. But, it was observed that only one soil sample per each work was collected and tested for assessing the Safe Bearing Capacity of soil of SS Tank works of CPWS Scheme to Chindadagaruvu and CPWS Scheme to Kunavaram.

The defects were identified during the defect liability period of the work and the same should have been rectified by the agency as suggested by the Department. But the defects were not rectified by the agency as per the remedial measures suggested by the JNTU College of Engineering, Kakinada instead earthen bund was provided for a length of 56mts, which reduced the capacity of tank to an extent of 1176 cum. Sri Syed Fakeer, the then Assistant Engineer, RWS&S Sub-Division, Amalapuram has 1) failed to get proper site investigation of soils and executed the retaining wall without assessing the Safe Bearing Capacity of the soils in the revised alignment of SS Tank, 2) recorded and recommended for payment for the work of settled retaining wall portion at SS Tank. 3) During the execution of work, PVC Pipelines were laid without sand cushion or less thickness of the sand cushion below the PVC pipelines, which causes an amount of Rs.3,86,442/- is proposed to recovery from the contractor. And 4) During the verification of stock at the stores by the V&E officials, it is observed that 233 tins of "CONCARE" anti-corrosive liquid of 5 liters capacity each (totally 1165 liters) were available in stores. Out of which, 8 tins are in damaged condition. He is failed for utilization of 1165 liters of Anticorrosive liquid procured by the department in time and kept the same in stores till date of expiry passed, which causes an amount of Rs.2,41,155/- is proposed to recover from the concerned responsible official. From this it is evident that Sri Syed Fakeer, the then Assistant Engineer, RWS&S Sub-Division, Amalapuram and presently working as Assistant Engineer, on deputation to APMSIDC, GMC Division, Nellore has violated Rules 3(1), 3(2), of AP Civil Services Conduct Rules, 1964 for lack of devotion to duty, lack of integrity, lack of impartially and for behaving in a manner unbecoming of a Government employee and

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7364162/2023/VIG-VI-PRR01

for not taking all possible steps to ensure the integrity and devotion to duty of all Government servants for the time being under his control and authority.

Hence the charge.

B. RAJSEKHAR,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

B. Bharati
SECTION OFFICER

ANNEXURE – III

LIST OF THE DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI SYED FAKEER, THE THEN ASSISTANT ENGINEER, RWS&S SUB-DIVISION, AMALAPURAM OF EAST GODAVARI DISTRICT (PRESENTLY WORKING AT PR DEPARTEMENT)

1. From the Director General, G.A. (V&E) Department, Vigilance Report No.07 (C.No.316/V&E/Engg/2014), dt.19.05.2022.

B. RAJSEKHAR,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

B. Bharati
SECTION OFFICER

ANNEXURE- IV

LIST OF WITNESSES BY WHICH THE ARTICLE OF CHARGES ARE FRAMED AGAINST SRI SYED FAKEER, THE THEN ASSISTANT ENGINEER, RWS&S SUB-DIVISION, AMALAPURAM OF EAST GODAVARI DISTRICT (PRESENTLY WORKING AT PR DEPARTEMENT)

- NIL –

B. RAJSEKHAR,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

B. Bharati
SECTION OFFICER